

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION AT COLUMBUS**

ALTON CROMARTIE,	:	Case No. 2:23-cv-1802
	:	
Plaintiff,	:	
	:	
vs.	:	District Judge James L. Graham
	:	Magistrate Judge Caroline H. Gentry
	:	
DR. ARTHUR HALE, et al.,	:	
	:	
Defendants.	:	
	:	

DEFICIENCY ORDER

Plaintiff, a prisoner at the Pickaway Correctional Institution, has filed a motion for leave to proceed *in forma pauperis* in connection with a civil rights complaint. (Docs. 1, 2). However, plaintiff's motion is incomplete and is not made on this Court's official form. (*See* Doc. 1).

Pursuant to the Prison Litigation Reform Act of 1995 (PLRA), 28 U.S.C. § 1915(a)-(h), a prisoner seeking to bring a civil action without prepayment of fees or security therefor must submit an application and affidavit to proceed without prepayment of fees *and* a certified copy of their trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint obtained from the cashier of the prison at which the prisoner is or was confined. 28 U.S.C. § 1915(a)(2). In this case, plaintiff's motion to proceed *in forma pauperis* does not include a "Certificate" page (page 8 of the Application and Affidavit By Incarcerated Person to Proceed Without Prepayment of Fees form that is used in this Court, completed and signed by the institutional cashier). Additionally, the account statement provided by plaintiff is not certified.¹

¹Instead, plaintiff has provided an account statement that he has signed in front of a notary. Plaintiff must provide an account statement that has been certified by the institutional cashier. *See* 28 U.S.C. § 1915(a)(2).

Accordingly, should plaintiff wish to proceed with this matter in this Court, plaintiff is **ORDERED** to pay \$402 (\$350 filing fee plus \$52 administrative fee) or submit a completed Application and Affidavit By Incarcerated Person to Proceed Without Prepayment of Fees form, including a “Certificate” page (page 8 of the Application and Affidavit By Incarcerated Person to Proceed Without Prepayment of Fees form that is used in this Court, completed and signed by the institutional cashier), and a certified copy of his prison trust fund account statement (or institutional equivalent) for the preceding six-month period **within thirty (30) days** of the date of this Order.

If plaintiff fails to comply with this Order, the Court shall dismiss his case for want of prosecution. *In re Prison Litigation Reform Act*, 105 F.3d 1131 (6th Cir. 1997). If plaintiff’s case is dismissed for failure to comply with this Order, the case will not be reinstated to the Court’s active docket despite the payment of the filing fee. *Id.* Should plaintiff need additional time to comply with this Order, he should file a motion for an extension of time.

The **CLERK OF COURT** is **DIRECTED** to provide plaintiff with an Application and Affidavit By Incarcerated Person to Proceed Without Prepayment of Fees form.

The **CLERK OF COURT** is further **DIRECTED** to send a copy of this Order to the cashier of the prison at which plaintiff is confined.

IT IS SO ORDERED.

June 9, 2023

/s/ Caroline H. Gentry
CAROLINE H. GENTRY
United States Magistrate Judge